

U.S. COURT OF APPEALS - EIGHTH CIRCUIT
APPELLANT'S FORM A
Appeal Information Form
To be filed with the Notice of Appeal

Appeal Docket No. _____

STYLE OF CASE:

International Union, United Automobile, Aerospace, and Agricultural Implement Workers of America, and UAW Local 997, on behalf of themselves and the certified class,

Appellant

vs.

Maytag Corporation, a subsidiary of Whirlpool Corporation, and Whirlpool Corporation,

Appellee

COUNSEL: NAME, ADDRESS, AND TELEPHONE NUMBER

Robert A. Seltzer, Cornfield and Feldman, 25 East Washington Street, Suite 1400, Chicago, Illinois 60602-1803; 312-236-7800

Barry A. Macey, Macey Swanson and Allman, 445 N. Pennsylvania Street, Suite 401, Indianapolis, Indiana 46204; 317-637-2345

COUNSEL: NAME, ADDRESS, AND TELEPHONE NUMBER

Douglas A. Darch, Baker & McKenzie LLP, One Prudential Plaza, 130 E. Randolph Drive, Suite 3500, Chicago, Illinois 60601; 312-861-8933

LIST ISSUES ON APPEAL(For administrative purposes). You may indicate that this also serves as your statement of issues under FRAP 10(b)(3). Yes. No.

1) The district court's findings and conclusions are unsupported by the evidence or are contrary to the evidence; 2) the court lacks subject matter jurisdiction because there was no case or controversy; 3) the class certification is improper and contrary to applicable law; 4) the district court should have dismissed the case because the requirements of the Declaratory Judgment Act, the LMRA, and ERISA were not met; 5) the case should have been transferred to the Western District of Michigan.

FOR LEAD COUNSEL ONLY

I have (have not) discussed settlement possibilities on appeal with my client.

This appeal is (is not) amenable to settlement.

Submitted by: s/ Robert A. Seltzer
Signature of Lead Counsel

July 24, 2011

Date

INSTRUCTIONS:

Filing of appellant's Form A is required to be submitted to the Clerk of the District Court with the Notice of Appeal (8 Cir. Rule 3B). If inadvertently omitted, appellant may file Form A directly with the Clerk of the Court of Appeals before appeal is docketed. Forms are available at the District Court Clerk's Office and may be obtained electronically at: www.ca8.uscourts.gov

Copy 1 - Send to Appellee (together with an uncompleted Form B)

Copy 2 & 3 - Send to Clerk, District Court with Notice of Appeal or Eighth Circuit (see above)

Copy 4 - Retain